



ATRS DISABILITY RETIREMENT

FAQ'S

Q What is **ATRS Disability Retirement**?

Disability Retirement allows an ATRS active member with at least five (5) years of credited service (actual or a combination of actual and reciprocal) the ability to retire if, as the result of a personal injury or disease, the member has become totally and permanently physically or mentally incapacitated for his or her job duties.

Q How does **Disability Retirement** differ from Age and Service Retirement?

In regards to the retirement annuity there is no difference between **Disability Retirement** and Age and Service retirement. In other words, the annuity formula for computing **Disability Retirement** benefits is the same as if the member is retiring at the voluntary age and service retirement.

The only difference with a **Disability Retirement** is that the application process involves additional paperwork and a review and recommendation by a Medical Committee.

Q How do I know if I might be eligible for **Disability Retirement**?

First and foremost, the member must have a minimum of five (5) years of credited service (actual or a combination of actual and reciprocal) and be considered active to be eligible to apply for **Disability Retirement**.

- **Active:** For **Disability Retirement** eligibility, a member is considered active for an additional fiscal year following the last fiscal year the member rendered actual service to an ATRS covered employer and obtained at least one-fourth ($\frac{1}{4}$) year of service credit.



There is no alignment between Social Security Disability and ATRS Disability.

Final determination of the existence of a qualifying disability is based upon the recommendation of the ATRS Medical Committee. The ATRS Medical Committee reviews the application and supporting medical documents to determine the following:

- *Member is physically or mentally incapacitated*
- *Member exhibits symptoms of physical or mental incapacitation while employed by an ATRS employer as an **active** member*
- *Member is unable to perform his or her current work duties*
- *Member's incapacity will most likely be permanent*

Q Am I eligible for **Disability Retirement** if I am a T-Drop participant?

*No, as a T-DROP participant you are not eligible for **Disability Retirement**. T-DROP is an **optional "retirement" plan** for ATRS members. Members who meet eligibility requirements, years of service, elect to participate in T-DROP in **lieu of retiring** and accepting a service retirement benefit. In other words, as a T-DROP participant you are, in essence, already considered "retired".*

Q How do I apply for **Disability Retirement**?

*A member must contact our office at 1-800-666-2877 or 1-501-682-1517 to request a **Disability Retirement** application. The member must complete the application in full and make certain that ATRS receives all supporting documents which include physician statements. It is the member's responsibility to ensure that his or her application and supporting documents are received within the required time frame.*

- **Time Frame:** *For **Disability Retirement** eligibility, a member is considered **active** for an additional fiscal year following the last fiscal year the member rendered actual service to an ATRS covered employer and obtained at least one-fourth ($\frac{1}{4}$) year of service credit. Any applications received **after** this eligibility period will not be considered due to the fact that the member is no longer an **active** member.*
- *A member has six (6) months from the date of the application (date received at ATRS) to submit a correctly completed application and accompanying documentation.*

Q How long do I have to submit all the supporting documents needed with my **Disability Retirement** application?

*Once a **Disability Retirement** Application is received at ATRS the member will have six (6) months to submit supporting documents or correct an incomplete application. If, at the end of the six (6) month period, the member's application is incomplete or supporting documentation is not provided,*

the incomplete application will be submitted to the ATRS Medical Committee for review or the member may request the application be withdrawn.

Q How long does it take to determine eligibility and receive approval?

The ATRS Medical Committee meets monthly. Once ATRS has received the member's correctly completed application and accompanying documentation, it will be presented at the next scheduled ATRS Medical Committee meeting. (The application and supporting documents must be received no later than the Friday prior to the scheduled meeting in order to be presented at that meeting – if not, it will be presented at the next month's meeting.)

Q Once my **Disability Retirement** Application has been approved when will I receive my first check?

*Once the member's **Disability Retirement** application has been approved, the member will receive a letter from ATRS stating approval and requesting a number of required forms such as a Tax Election Form, Direct Deposit Authorization, Employer Certification, and an Annuity Option Form. The member's file will also be reviewed for any other required documentation such as a Social Security card, birth certificate, beneficiary form and, if applicable, a lump sum death beneficiary form.*

*Disability benefits will be issued the first day of the calendar month following the date the member was found disabled by the ATRS Medical Committee if the member is **no longer working for an ATRS covered employer**. The benefits may include retroactive monthly payments in this case.*

*However, the member must have terminated his or her employment relationship with the ATRS covered employer (**Termination of Active Membership**) and correctly completed and submitted all **Required Retirement Documents** before payments can begin.*

- **Termination of Active Membership:** The last date the member worked for an ATRS covered employer. Delay of the final paycheck or lump sum payments as a result of annual or sick leave payouts do not count to extend active membership.
- If a **member is working for an ATRS covered employer** when disability benefits are approved by the ATRS Medical Committee, the benefit payments will not commence until the first day of the calendar month following the last day the member is employed for an ATRS covered employer. There will be no retroactive payments granted to the member in this situation. The following two subparagraphs do apply if the member **is working for an ATRS employer** when disability benefits are approved by the Medical Committee:
 - The member will have up to **two (2) full calendar months** after the ATRS Medical Committee determines approval of disability benefits to terminate his or her active membership with an ATRS covered employer.
 - Upon failure to terminate active membership by the end of two (2) months, the member's **Disability Retirement** will be revoked and the member will be required to submit a new **Disability Retirement** application and begin the process anew.

- **Required Retirement Documents:** The approved member has six (6) months to submit the requested required documents to ATRS. Payment of disability benefits will not begin until all documents are received.
 - If the member does not submit the required documentation within the six (6) month period, the **Disability Retirement** application will be voided.

Q What if my **Disability Retirement** Application is denied, what are my options?

A **Disability Retirement** Application can be denied for various reasons such as an incomplete application, inadequate documentation, no longer in *active status, or a lack of medical information to support that the applicant is unable to perform his or her job duties. For whatever reason the application is denied, that member may resubmit a new application with additional information or the member can request an Executive Director review of his or her case.

- *If a member is no longer in active status (a member is active for an additional fiscal year following the last fiscal year the member rendered actual service to an ATRS covered employer and obtained at least one-fourth (¼) year of service credit) the member does have the option, if capable, to return to work for an ATRS covered employer and work a minimum of forty (40) days in order to reactivate his or her status to active.

Q What if I have an aggressive terminal illness, is **Disability Retirement** my best option?

ATRS cannot counsel members on life decisions. However, if this situation applies to the member and the member has dependent children in the home, the member is encouraged to contact an ATRS Counselor to discuss other options such as survivor benefits for a dependent child or children.

NOTE: It is important to note that survivor benefits for dependent children are based on the member's active status. Active status in regards to survivor benefits is different than active status for **Disability Retirement**. Please contact an ATRS Counselor for specifics regarding this issue.

Q As a disability retirant, may I return to work?

Disability Retirement is awarded with the understanding that the ATRS member has become **totally and permanently** physically or mentally incapacitated for his or her job duties. However, in the occasion where a disability retirant is able to return to an ATRS covered employer the following rules apply.

If a disability retirant **under age sixty (60)** returns to work at a covered ATRS employer, his or her **Disability Retirement** will immediately terminated and the member will be considered **active**. The member's credited service at the time of **Disability Retirement** will be restored and, as an **active** member, the member will begin earning service credit.

It is the responsibility of the member and ATRS employer to report a disability retirant's return to work under a covered employer. If a disability retirant returns to work after being placed on disability retirement, even for one (1) day, the member shall repay retirement benefits paid from the time the member returned to work.

If a disability retirant has **reached sixty (60) years of age** and returns to a covered ATRS employer he or she will continue to receive the retirement annuity **IF** they have met the required termination separation guidelines.

TERMINATION SEPARATION REQUIREMENTS	
AGE 65	No Termination Separation Period
38 YEARS OF SERVICE	One (1) Month Termination Separation Period
ALL OTHER RETIREES	Six (6) Month Termination Separation Period

DO NOT RETURN TO WORK FROM A DISABILITY STATUS IF YOU ARE
UNDER AGE 60
UNLESS YOU INTEND TO CANCEL YOUR DISABILITY RETIREMENT !



IF YOU ARE
OVER AGE 60
PLEASE CONTACT ATRS TO CONFIRM THAT YOU HAVE MET
THE TERMINATION SEPARATION REQUIREMENTS

BEFORE RETURNING TO WORK !

Q What if I leave my job to attempt recovery and it is determined later that I cannot return to work due to my disability - is there a deadline for when I can apply for **Disability Retirement**?

Yes, a member must be considered active to be eligible to apply for **Disability Retirement**.

- **Active:** For **Disability Retirement** eligibility, a member is considered active for an additional fiscal year following the last fiscal year the member rendered actual service to an ATRS covered employer and obtained at least one-fourth ($\frac{1}{4}$) year of service credit.

Example: If a member last worked at a covered ATRS employer in December, 2011 (Fiscal year 07/01/11 – 06/30/12) he or she would be considered active until June 30, 2013 (Fiscal Year 07/01/12 – 06/30/13).

Q What happens if I die while on **Disability Retirement**?

As with Age and Service Retirement, the disability retirant shall select an option for his or her monthly annuity as follows:

- * Option 1 – Straight Life Annuity
- ** Option A – 100% Survivor Annuity
- Option B – 50% Survivor Annuity

** If a retiree selects Option 1, Straight Life Annuity, and dies within the first year of retirement, the surviving spouse may elect to cancel the Option 1 in effect and elect Option A, 100% Survivor Annuity.*

*** If a retiree selects Option A, 100% Survivor Annuity, or Option B, 50% Survivor Annuity, and his/her spouse dies, the Retiree, upon contacting ATRS of the death, can "pop up" to Option 1, Straight Life Annuity.*

If a retiree has selected Option 1, Straight Life Annuity (remember all other options already allow a survivor annuity) and dies after the first year of retirement and prior to receiving annuity payments equal to the amount of employee contributions paid plus interest earned on those contribution, then the residue beneficiary would receive a residue payment. If no residue beneficiary is nominated or

survives upon the death of the option beneficiary, the residue remaining, if any, shall be paid to the last surviving option beneficiary's estate.

NOTE: It is important to note that if the deceased disability retirant was not eligible for early or regular (Age and Service) at the time of his or her death, the spouse annuity (if eligible dependent on the retirant's Option choice) **will begin the date the deceased member would have been eligible (age 60) to receive benefits and is payable for the spouse's lifetime, regardless of remarriage.**

LUMP SUM DEATH BENEFIT: Upon the death of the disability retirant with ten (10) or more years of actual service, ATRS will pay a death benefit in the amount of \$10,000 for contributory members and \$6,667 for noncontributory members, or a prorated amount based on the member's contributory and noncontributory service credit. However, if the disability retirant had fifteen (15) or more years of actual, contributory service, regardless of the noncontributory service accrued with the contributory service, the maximum lump sum death benefit, \$10,000, shall be paid. The death benefit will be paid to the designated beneficiary on the lump sum death beneficiary for; or to the deceased member's estate if no lump sum death beneficiary is named.

Q What are my beneficiary options on **Disability Retirement**?

See above and contact an ATRS Counselor for more detailed information.

Q If I have selected a beneficiary option, do my beneficiary(s) receive benefits after my death?

Yes, if the member has selected an option that provides for his or her beneficiary after the member's death (see above). However, if the disability retirant dies prior to early or regular (Age and Service) retirement eligibility the beneficiary will be eligible to receive benefits at the time the deceased retirant would have been eligible at early or regular (Age and Service) retirement.

Q Do my beneficiary(s) receive a Lump Sum Death Benefit after I die?

Yes, if the disability retirant has a minimum of 10 actual years of service (see above) and has a properly completed Lump Sum Death Beneficiary form on file with ATRS prior to the member's death.